

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

KAREN CONWAY, individually,

Plaintiff,

vs.

DAWSON PENDERGRASS AND UNITED  
STATES OF AMERICA, JOHN DOE 1-5 and  
ABC CORP. 1-5 (names being fictitious as true  
identities are unknown at this time);

Defendant.

CIVIL ACTION NO.

COMPLAINT FOR DAMAGES

Comes now the above-named Plaintiff KAREN CONWAY, by and through her attorney  
of record Jay T Adkins, alleges as follows:

**I. THE PARTIES, JURISDICTION AND VENUE**

1.1 The plaintiff, Karen Conway resides at 13302 East Broadway Avenue, in the City  
of Spokane, County of Spokane, State of Washington.

1.2 The defendant, United States of America, through its designated agency, the  
United States Air Force, operates from its field base located at 300 North Short Street, Fairchild  
AFB, WA 99011.

1.3 Upon information and belief, the defendant, Dawson Pendergrass' resides in the

Complaint For Damages -1-

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1 City of Yucca Valley, County of San Bernardino, State of California.

2 1.4 The jurisdiction of this Court is invoked pursuant to 28 USC §1346(d), commonly known  
3 as the Federal Tort Claims Act, wherein, exclusive jurisdiction is granted for all civil actions on  
4 claims against the United States for money damages due to personal injury caused by the  
5 negligence of any employee or agency of the government.

6 **II. FIRST COUNT**

7 2.1 On September 29, 2019, the plaintiff, Karen Conway, the lawful owner and  
8 operator of a motor vehicle was in a Starbucks Coffee shop drive thru line in Spokane, WA. This  
9 shop is located at 506 North Sullivan Road, Veradale, WA 99037. As she was waiting her turn in  
10 line to order her coffee, Ms. Conway was rear-ended by another vehicle, driven by Dawson  
11 Pendergrass.

12 2.2 At the aforementioned time and place, the defendant, United States of America,  
13 through and by its agency, the United States Airforce, was the owner of a motor vehicle  
14 negligently operated by its agent, servant and/or employee Dawson Pendergrass. As a result of  
15 said negligence, the defendant, Dawson Pendergrass, negligently failed to stop for traffic and  
16 rear-ended the plaintiff's vehicle.

17 2.3 At the time and place aforesaid, defendants John Doe 1-5 and ABC Corp 1-5  
18 (names being fictitious as true identities are unknown at this time) contributed to the happening  
19 of the subject accident.

20 2.4 As a direct and proximate result of the negligence of the defendants, and each  
21 of them, the plaintiff sustained severe personal injuries, has and will suffer pain, has and will  
22 incur medical expenses and has and will be unable to engage in her usual activities.

1  
2           2.5     In accordance with the requirements of the law, a Standard Form 95 Claim For  
3 Damage, Injury, or Death, was filed on behalf of the plaintiffs in this matter in a timely fashion,  
4 on September 21, 2020. Plaintiff has not received a formal denial of said claims thus  
5 authorizing the bringing of this action within six months therefrom.

6           WHEREFORE, plaintiff, demands judgment on this count against the defendants, and  
7 each of them, for compensatory damages in the sum of \$29,182.83, interest, and costs of suit  
8 on the first count.

9  
10                               **III. SECOND COUNT**

11           3.1     The plaintiff, Karen Conway, repeats and realleges each and every allegation of  
12 the First Count as if fully set forth herein at length.

13           3.2     As a direct and proximate result of the negligence of the defendants, the  
14 automobile owned by plaintiff Karen Conway was damaged herein, depreciated in value,  
15 caused to incur storage and rental costs, and she has lost the use and service thereof all to her  
16 damage.

17           3.3     At the time and place aforesaid, defendants John Doe 1-5 and ABC Corp. 1-5  
18 (names being fictitious as true identities are unknown) contributed to the happening of the  
19 subject accident.

20           WHEREFORE, plaintiff, demands judgment on this count against the defendants, and  
21 each of them, for compensatory damages in the sum of \$817.17 interest and costs of suit on the  
22 second count.

1  
2 DATE: July 26, 2021



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